

FILED

SEP 30 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

JEFFREY R. FINIGAN (CASBN 168285)
Assistant United States Attorney

450 Golden Gate Avenue
San Francisco, California 94102
Telephone: (415) 436-7232
Facsimile: (415) 436-7234
Email: jeffrey.finigan@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CECILIA CHAO,

Defendant.

Criminal No. 3 09 70785 BZ

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE
APPEARANCE**

The defendant, CECILIA CHAO, has been ordered to appear before the Honorable Elizabeth D. LaPorte, U.S. Magistrate Judge, on October 2, 2009, at 9:30 a.m. for preliminary hearing or initial appearance on an indictment. The parties have agreed that the government may file an information in lieu of seeking an indictment and anticipate that the matter may be assigned to the Honorable Susan Illston, United States District Court Judge, pursuant to Crim. L.R.8-1 and Civ. L. R. 3-12. Judge Illston issued a notice last week that week that she will be unavailable on October 2, 2009. In order to coordinate appearances for the defendant on a

1 Friday, the parties hereby agree and respectfully request that Ms. Chao's next appearance may be
2 continued to October 9, 2009, at 9:30 a.m. before Judge LaPorte. Mr. Breakstone represents that
3 he has advised Ms. Chao of this Stipulation and Proposed Order and that Ms. Chao has agreed to
4 appear on October 9, 2009, as set forth herein and agrees to waive time for preliminary hearing or
5 indictment pursuant to Rule 5.1(c) and (d).

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8 DATED: September 29, 2009

/s/
ROBERT J. BREAKSTONE
Counsel for Defendant

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12 DATED: September 29, 2009

/s/
JEFFREY R. FINIGAN
Assistant U.S. Attorney

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16 **ORDER**

17 For the reasons stated by the parties herein, it is hereby ORDERED that the appearance
18 for defendant, CECILIA CHAO, is **CONTINUED** from October 2, 2009, at 9:30 a.m. to October
19 9, 2009, at 9:30 a.m. before the Honorable Elizabeth D. LaPorte, U.S. Magistrate Judge and that
20 time is excluded pursuant to Rule 5.1(d).

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22 DATED: 9-30-09



MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE